

## **Welcome to the Legislative Update for December 4, 2015**

This e-mail is provided as a courtesy of the Governor's Advisory Council on Aging. The purpose of this service is to keep older Arizonans and advocates of aging services informed about bills and actions taking place at the Arizona State Legislature during the session and to highlight federal legislation or activities affecting older Americans. The information is intended to help you shape your own opinion about an issue and give you the necessary resources and contacts so that you can ensure your perspective and voice are heard. The *Legislative Update* is non-partisan in nature. Thank you for your interest!

Between legislative sessions we try to offer a focus on federal legislation and activities as well as local, state or national resources and information.

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### **FEDERAL OVERVIEW**

Updates on aging-related legislation

#### **S.192**

#### **Older Americans Act Reauthorization Act of 2015**

Passed Senate on July 16, 2015; no further action since last *Legislative Update*.

#### **S.139**

#### **Ensuring Access to Clinical Trials Act of 2015**

Text [HERE](#)

**10/7/2015 Became Public Law No: 114-63**

#### **S.1362**

**A bill to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).**

Introduced on 5/18/2015 by Senator Thomas R. Carper (DE)

This bill amends title XI of the Social Security Act to authorize the Department of Health and Human Services to waive applicable general and Medicaid requirements of the Program of All-Inclusive Care for Elderly (PACE) in order to conduct demonstration projects through the Center for Medicare and Medicaid Innovations (CMMI) that involve PACE. Prohibits HHS, however, as part of a CMMI demonstration, from waiving: (1) the requirement to offer items and services under Medicare and Medicaid without limitation to PACE program enrollees, and (2) certain requirements regarding enrollment in and

disenrollment from PACE programs

**Became Public Law No: 114-85 on 11/5/2015**

**H.R.22**

**Surface Transportation Reauthorization and Reform Act of 2015**

Introduced on 1/6/2015 by Representative Rodney Davis (IL-13)

Latest action: 12/4/2015 presented to the President. **H.Rept.114-357** [HERE](#)

Also for reference: **Fixing America's Surface Transportation (FAST) Act** summary [HERE](#) and 12/1/2015 joint statement from the leaders of the House and Senate committees working to reach a bicameral, bipartisan agreement on the surface transportation legislation [HERE](#)

**H.R.2577**

**Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016**

Introduced on 5/27/2015 by Representative Mario Diaz-Balart (FL-25)

**H.Rept.114-129** provided [HERE](#)

On 11/19/2015, Cloture motion on the measure withdrawn by unanimous consent in Senate.

Other aging-related legislation

**H.R.3761**

**Seniors Deserve A Raise Act**

Introduced on 10/16/2015 by Representative Alan Grayson (FL-9)

The bill requires cost-of-living increases in any benefit under title II (Old-Age, Survivor, or Disability Insurance) (OASDI) of the Social Security Act as well as military retirement and survivor benefits by any increase in the Consumer Price Index for the Elderly. In addition to any such increase, each such benefit shall be further increased by 2.9% on January 1, 2016, and shall remain in effect every year thereafter.

On 10/16/2015 referred to the House Armed Services.

**H.R.3781**

## **Family Stability and Kinship Care Act of 2015**

Introduced on 10/21/2015 by Representative Lloyd Doggett (TX-35)

This bill amends part E (Foster Care and Adoption Assistance) (renamed by this Act Federal Payments for Foster Care and Permanency) of title IV of the Social Security Act (SSAct) to give states the option of providing certain time-limited family services, including parenting and family skills training and counseling, to a child meeting certain criteria or the child's parents or kin caregivers.

SSAct title IV part B is also amended to:

- eliminate the time-limit for family reunification services,
- increase the mandatory funding authorization for the Promoting Safe and Stable Families Program, and
- extend funding for Family Connection Grants for one year.

On 10/21/2015, referred to the House Committee on ways and Means.

## **H.R.3796**

### **Nursing Home Accountability Act of 2015**

Introduced on 10/21/2015 by Representative Mark Walker (NC-6)

This bill amends the National Housing Act to condition a nursing home's eligibility for a Section 232 loan upon its quality rating. (A Section 232 loan is insured by the Federal Housing Administration and may be used to finance or refinance the purchase, construction, or renovation of a nursing home or assisted living facility.) A nursing home becomes ineligible for a Section 232 loan if, for any period of 30 or more consecutive months, the home achieves two or fewer stars under the five-star quality rating system established pursuant to the Social Security Act for purposes of the Medicare and Medicaid programs. However, a nursing home's eligibility shall be renewed if the home subsequently maintains a rating of three or more stars for a period of at least 30 consecutive months. This bill does not affect existing mortgages.

On 10/21/2015, referred to the House Committee on Financial Services.

## **H.R. 3913**

### **Lifespan Respite Care Reauthorization Act of 2015**

Introduced on 11/3/2015 by Representative James R. Langevin (RI-2)

This bill amends the Public Health Service Act to expend lifespan respite care programs (services for family caregivers of children and adults with special needs) through FY2020. Each state agency awarded a grant or cooperative agreement for lifespan respite care must

collect, maintain, and report to the Department of Health and Human Services data and records to enable monitoring and evaluation of the lifespan programs and activities.

On 11/3/2015 referred to the House Committee on Energy and Commerce.

### **H.R.3961**

#### **Consumer Price Index for Elderly Consumers Act of 2015**

Introduced on 11/5/2015 by Representative Peter A. DeFazio (OR-4)

To require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security and Medicare benefits under titles II and XVIII of the Social Security Act.

11/5/2015 referred to House Education and Workforce (introduction and referral)

### **H.R.4082**

#### **Coordinating Transportation Services for Transportation Disadvantaged Individuals Act of 2015**

Introduced on 11/19/2015 by Representative Daniel Webster (FL-10)

Text [HERE](#)

On 11/20/2015, referred to the Subcommittee on Highways and Transit.

### **H.R.4090**

#### **Health Care Choices for Seniors Act**

Introduced on 11/19/2015 by Representative Marsh Blackburn (TN-7)

To amend the Social Security Act to improve available to Medicare eligible seniors by permitting them to elect (instead of regular Medicare benefits) to receive a voucher for a health saving account, for premiums for a high deductible health insurance plan, or both and by suspending Medicare late enrollment penalties between ages 65 and 70.

On 11/19/2015, referred to the Committee on Ways and Means and Committee on Energy and Commerce.

### **H.R.4121**

#### **Anti-hunger Empowerment Act of 2015**

Introduced on 11/19/2015 by Representative Jose E. Serrano (NY-15)

To amend the Food and Nutrition act of 2008 to provide greater access to the supplemental nutrition assistance program by reducing duplicative and burdensome administrative requirements, authorize the Secretary of Agriculture to award grants to certain community-based nonprofit feeding and anti-hunger groups for the purpose of establishing and implementing a Beyond the Soup Kitchen Pilot Program for certain socially and economically disadvantaged populations, and for other purposes.

On 11/19/2015, referred to the House Committee on Agriculture.

**S.1719**

### **RAISE Family Caregivers Act**

Introduced on 12/1/2015 by Senator Susan M. Collins (ME)

This bill directs the Department of Health and Human Services (HHS) to develop, maintain, and periodically update a National Family Caregiving Strategy. HHS shall convene a Family Caregiving Advisory Council to advise it on recognizing and supporting family caregivers. Federal departments and agencies must share with HHS any data they maintain that HHS needs to prepare the initial and updated Strategies.

On 12/1/2015, placed on Senate Legislative Calendar under General Orders. Calendar NO. 306.

Related bill: **H.R.3099**

**S.2123**

### **Sentencing Reform and Corrections Act of 2015**

Introduced on 10/1/2015 by Senator Chuck Grassley (IA)

This bill includes a provision that makes permanent the pilot program to release nonviolent elderly offenders from prison facilities to home detention and expands eligibility for such release.

On 10/26/2015 placed on Senate Legislative Calendar under General Orders. Calendar No. 279.

**S.2197**

### **Securing Care for Seniors Act of 2015**

Introduced on 10/22/2015 by Senator Mike Crapo (ID)

To amend title XVIII of the Social Security Act to improve the risk adjustment under the Medicare Advantage program, and for other purposes.

On 10/22/2015, read twice and referred to the Committee on Finance.

## **S.2216**

### **SeniorSafeAct of 2015**

Introduced on 10/28/2015 by Senator Susan M. Collins (ME)

To provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

On 10/28/2015, read twice and referred to the Committee on Banking, Housing and Urban Affairs.

## **S.2221**

### **Ensuring Access to Affordable and Quality Home Care for Seniors and People with Disabilities Act**

Introduced on 10/29/2015 by Senator Pat Roberts (KS)

This bill amends the Fair Labor Standards Act of 1938 with respect to the exemption from minimum wage and maximum hour requirements of domestic service employment to provide companionship services for individuals who because of age or infirmity are unable to care for themselves. Definitions of "companionship services" and "domestic service employment" are detailed. Excluded from companionship services are any relating to the care and protection of the aged or infirm which require and are performed by trained medical personnel.

The exemption shall now extend to third-party employment of an employee to provide companionship services to such individuals, including non-medical in-home personal care or household work related to their care. "Third-party employment" means employees who provide companionship or live-in domestic services while employed by an employer or agency other than the family or household using their services, whether or not such an employee provides services to more than one household or family in the same workweek when providing such services.

Exempted also from the Act's maximum hour requirements are third-party employment in domestic service of an employee who resides in the household in which the services are provided.

On 10/29/2015, read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Related bill: **H.R.3860**

**S.2260**

## **Long-Term SCORE Act**

Introduced on 11/9/2015 by Senator Mark R. Warner (VA)

To amend the Congressional Budget Act of 1974 to require that the Congressional Budget Office prepare long-term scoring estimates for reported bills and joint resolutions that could have significant economic and fiscal effects outside of the normal scoring periods.

Text [HERE](#)

On 11/9/2015, read twice and referred to the Committee on the Budget.

Other federal legislation

**H.R.1314 Bipartisan Budget Act of 2015** Became Public Law No: 114-74 on 11/2/2015  
Enrolled Bill text [HERE](#)

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If you want to check on the status of any federal legislation, go to <http://beta.congress.gov/> and enter the bill number or title.

Check for **active federal legislation** at this [link](#).

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## **Share your opinions!**

If you are interested in sharing your thoughts or concerns, find out how to contact your Congressional representatives or Senators by visiting: <http://www.house.gov/> for the **House** or <http://www.senate.gov/> for the **Senate**.

Links to the membership lists are provided below.

[House](#) members

[Senate](#) members

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**You can contact the White House** at this [link](#).

ALSO: A compilation of contact information is provided at:

<http://www.usa.gov/Contact/Elected.shtml>.

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## NEWS& RESOURCES

From **Kaiser Health News**

[\*Who Are America's Caregivers? Nearly A Quarter Are Millennials\*](#)

[\*Aid-In-Dying Laws Only Accentuate Need For Palliative Care, Providers Say\*](#)

KHN coverage of aging and long-term care issues at *Aging News* posted [HERE](#)

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From **National Association of States United for Aging and Disabilities/NASUAD**

*Friday Updates, December 4, 2015*

### **Lifelong Disparities Among Older American Indians and Alaska Natives**

The AARP Public Policy Institute and the International Association for Indigenous Aging released a report on the lifelong disparities that exist among older American Indian (AI) and Alaska Native (AN) populations when compared to the general United States population of older adults. The report includes a definition of who falls into the category of American Indian, identifies where these populations live in the U.S., and compares AI/ANs generally with the rest of the population of older adults and also specifically compares health coverage.

[Click here](#) to access the report and findings.

*Friday Updates, November 20, 2015*

### **ACL Published Independent Living Proposed Rule: Comments Wanted**

On Monday, November 16th, the Administration for Community Living (ACL) published a proposed rule that will consolidate and streamline Independent Living regulations. The rule will provide information on the new requirements from the Workforce Innovation and Opportunity Act (WIOA). WIOA moved the Independent Living programs from the Department of Education to the Department of Health and Human Services (HHS) and the rule reflects the new regulations that will apply under HHS. The proposed rule has been published in the Federal Register with a 60-day comment period. Comments must be made through Regulations.gov, which provides an accessible portal for information regarding regulations. All comments must be submitted by **Friday, January 15, 2016, at 5 p.m. ET.**

[Click here](#) to view the proposed rule.

[Click here](#) to submit a comment.



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From the **National Council on Aging**

**Federal Budget FY16 Aging Program Funding Table** [HERE](#)

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From the **National Alzheimer's Project Act**

Updated information can be found at:

<http://aspe.hhs.gov/daltcp/napa/>

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**National Center on Caregiving** – resources [HERE](#)

From the **Family Caregiver Alliance**

Fact and Tip Sheets [HERE](#)

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From the **Center on Aging & Work at Boston College**

**Fact of the Week 11/2/2015**

*One quarter of 45-64 year olds provide unpaid eldercare.*

(Link to U.S. Department of Labor Bureau of Labor Statistics [HERE](#) )

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In case you missed it...

**National Alliance for Caregiving and AARP**

[\*Caregiving in the U.S. 2015 Report\*](#)

**AARP Blog - 8/17/2015**

**28 States + 34 Bills Passed + More Support for 22 Million Family Caregivers** is linked [HERE](#). “The CARE Act: The Caregiver Advise, Record, Enable (CARE) Act supports family caregivers when their loved ones go into the hospital and as they transition home.”

**Tooth Wisdom** Oral Health Resources for Older Adults [HERE](#)

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## STATE FISCAL NEWS

From the **Joint Legislative Budget Committee/JLBC**

*JLBC - Monthly Fiscal Highlights November (11/20/15)* provided [HERE](#) reports “Year-to-date, base General Fund revenues are 3.3% above the prior year, and are \$124.4 million above forecast.”

***Tracking Arizona’s Recovery November 2015*** [HERE](#)

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If you’re interested in seeing bills tracked by the Advisory Council last legislative session, open the **FULL LIST** link (below). BE SURE to click on the bill number for more information on that specific bill.

**FULL LIST** [Link](#)

**SHORT List Wrap Up report** [HERE](#)

Please be advised that the presence of a bill on a tracking list does not represent support or opposition by the Governor’s Advisory Council on Aging. It does mean that the topic is something that may be of interest to or have an impact on older Arizonans.

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***Share your thoughts at any time!*** If you have a particular perspective to share with the Governor or your Legislators, you can voice your opinions at any time by contacting the:

- **Governor’s Office of Constituent Services** at 602-542-4331 in Phoenix, 520-628-6580 in Tucson and in-state toll free at 1-800-253-0883 (outside Maricopa County only) or
- The **legislator(s) from your area**. You can locate your legislator by going to the **Arizona State Legislature** [website](#) and looking for: *How do I find My Legislators*.
- Not sure about your congressional or legislative district? **Maps** can be found on the Arizona State Legislature website linked [here](#).

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## Arizona State Legislature Website Resources

Want to learn more about the legislative process ahead of the next session? See [Arizona](#)

[Bill](#) or *Bill to Law* provided [here](#).

Learn about the budget process [here](#).

Review the Arizona Constitution [here](#).

Learn more at Frequently Asked Questions linked [here](#).

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In case you're interested in what the **Governor's Advisory Council on Aging** heard during **Senior Action Days 2015** -

**Tally of concerns raised at the events found [HERE](#)**

**Stakeholder survey ranking of top concerns [HERE](#)**

**Stakeholder input regarding other issues [HERE](#)**

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## **INFORMATION& RESOURCES**

**The Arizona Department of Economic Security has a new website.**

**<https://des.az.gov/>**

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## **COMPASS: Directions for Caregivers after Dementia Diagnosis**

**Monday, December 7, 2015, 4 – 5:30 pm, Banner Alzheimer's Institute, 901 E. Willetta Street, Phoenix**

Free but registration is required. **To register, call 602-839-6850.**

Additional events posted [HERE](#)

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## **Save the Date**

**AzTA/ADOT 29<sup>th</sup> Annual Conference**

**April 10-12, 2016, High Country Conference Center in Flagstaff, Arizona**

More information [HERE](#)

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Just in case you're interested

The Governor's Advisory Council on Aging's 2016 meeting dates are posted at:

[http://govtrans.az.gov/gaca/Documents/MeetingSchedule\\_2016.pdf](http://govtrans.az.gov/gaca/Documents/MeetingSchedule_2016.pdf).

Past issues of the *Legislative Updates* are linked on the Council website at:

<http://www.azgovernor.gov/gaca/LegUpdates.asp>.

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You can help circulate resource information. If you would like to submit an **educational** or **public service event** for consideration, be sure to send an email with the description and a link or pdf document to: [gaca@az.gov](mailto:gaca@az.gov). Please note: we try to include resources and events of interest to older Arizonans and aging service advocates and refrain from including fundraising or marketing materials.

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We hope you have a wonderful holiday season and Happy New Year!

~Governor's Advisory Council on Aging



If you wish to be REMOVED from or know someone who would like to be ADDED to the Update, please send an email to: [gaca@az.gov](mailto:gaca@az.gov) and ask to be unsubscribed or subscribed to the **Legislative Update**.

Governor's Advisory Council on Aging

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